

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 10964 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE D.C.SRIVASTAVA Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?  
Nos. 1 to 5 No

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RAJU RUPAJI THAKOR (MARWADI)

Versus

COMMISSIONER OF POLICE

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Appearance:

MS DR KACHHAVAH for Petitioner

MR. LR POOJARI, AGP for Respondent No. 1, 2, 3

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CORAM : MR.JUSTICE D.C.SRIVASTAVA

Date of decision: 24/02/99

ORAL JUDGEMENT

In this writ petition under Article 226 of the Constitution of India, the petitioner has challenged the detention order dated 2.7.1998 passed by the Police Commissioner, Ahmedabad under section 3(2) of Prevention of Antisocial Activities Act, 1985 (for short 'PASA') and has prayed for quashing of the said order and his immediate release from illegal detention.

On the same material and grounds co-detenu Faruk challenged his detention in Special Civil Application No. 6958 of 1998 which was allowed by this Court on 10.2.1999. On the ground of parity the writ petition of the petitioner is bound to succeed and is hereby allowed. The impugned detention order dated 2.7.1998 is hereby quashed. The petitioner shall be released forthwith unless wanted in some other case.

Sd/-

(D.C.Srivastava, J)

m.m.bhatt